

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Task Force Officer (“TFO”) with the Federal Bureau of Investigation (“FBI”). I have been an FBI TFO since October 2022 and have been a police officer in the Virginia Tech Police Department for over three years. I received initial training and instruction to become a police officer at the Cardinal Criminal Justice Academy located in Salem, Virginia, which included training concerning violations of Virginia criminal statutes. I am currently assigned to the Richmond Division of the FBI, Roanoke Resident Agency. During my employment with the FBI and Virginia Tech Police Department, I have conducted and/or assisted in investigations involving various criminal violations. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. Throughout my time at the FBI, I have discussed with FBI Special Agents the types of evidence collected, investigative methods used, and criminal violations commonly revealed during investigations of the Capitol riot. As a federal TFO I am authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of violations of federal criminal law.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President

Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

Facts Specific to John Paul Bordeaux

As part of the FBI investigation into the attack on the United States Capitol, I reviewed third party video posted to the public, CCTV footage from the Capitol, and police body worn camera (“BWC”) footage depicting the events at the U.S. Capitol building and grounds on January 6, 2021. The FBI identified an individual among the rioters who punched Metropolitan Police Department (MPD) Officer J.M.’s riot shield several times on January 6, 2021. This person was subsequently identified as JOHN PAUL BORDEAUX (“BORDEAUX”), as discussed below.

BORDEAUX’s Activities at the U.S. Capitol on January 6, 2021

I have reviewed video footage from various sources of events that took place at the U.S. Capitol on January 6, 2021, which document BORDEAUX’s actions that day. I reviewed numerous photographs of BORDEAUX from January 6, 2021 on the U.S. Capitol grounds. In the photographs, BORDEAUX is wearing a red ski hat, blue goggles, a blue face mask with white stars, a black jacket with a yellow crest on the left breast, a multicolored sweater, and jeans. *See Image 1.*



Image 1

BWC shows BORDEAUX gathered with a group of rioters on the west front of the Capitol, on restricted Capitol grounds, just before 2:10 p.m. BORDEAUX was yelling at police officers while the police deployed tear gas and other crowd control measures. *See Image 2.*



Image 2

BWC footage captured BORDEAUX as he walked along the Lower West Terrace and at approximately 2:31 p.m., he waved other rioters along, as if to encourage them to follow.

Video taken by others in the crowd shows BORDEAUX also assisted other rioters with climbing up to get closer to a group of police officers with shields who were protecting the area below the inaugural platform from the crowd surging against them. *See Image 3.*

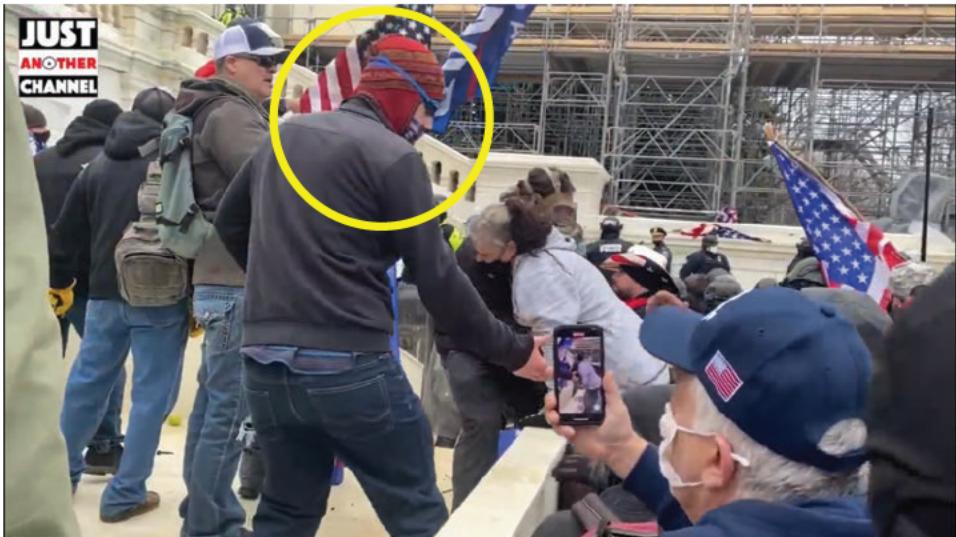


Image 3

At approximately 2:33 p.m., CCTV showed that BORDEAUX rushed through the crowd, down a short set of stairs toward the group of police officers who were holding up riot shields,

raised his fist, and started punching MPD Officer J.M.'s riot shield. BORDEAUX stepped back, still with his fists raised, and punched the riot shield several times. *Image 4.*



Image 4

At one point, the police officer holding the riot shield used the shield to knock BORDEAUX down, but he got up, and resumed punching the riot shield. When the officer pushed BORDEAUX back again with the riot shield, he was knocked down again, to the point where his shoe came off. He put his shoe back on and continued to keep his fists as if to aim them strategically in a boxing-type move.

As captured on third-party video, shortly after BORDEAUX punched the riot shields, the crowd pushed against the group of police officers. Several rioters used OC spray against the crowd of police officers who were forced to retreat through a door, and up a flight of stairs. *Image 5.* BORDEAUX appeared to be covering his mouth and nose, in a manner consistent with protecting his face against OC spray.



Image 5

After BORDEAUX reached the entrance to a door that led to the Upper West Terrace, video footage shows that BORDEAUX waved over other rioters to the doorway as rioters tried to figure out how to open it. *See Images 6 and 7.*



Image 6



Image 7

Identification of JOHN PAUL BORDEAUX

In an effort to identify rioters at the Capitol on January 6 who assaulted law enforcement officers, the FBI posted three photos and a video of BORDEAUX—then known only as “AFO #328”—to the FBI website, photos shown below. *See Image 8.* An individual who knows BORDEAUX personally saw these photos and identified “AFO #328” as BORDEAUX, alleging that BORDEAUX attended the January 6, 2021 rally with his brother and father. This individual provided BORDEAUX’s age, phone number, address, and employment.



Photograph #328 - AFO C



Photograph #328 - AFO B



Photograph #328 - AFO A

Image 8

Another individual who knows BORDEAUX personally saw the FBI photo and submitted a tip identifying “AFO #328” as BORDEAUX. This individual provided information about BORDEAUX’s age, employment, address, and phone number that were consistent with the information the first individual gave. The individual was aware that BORDEAUX attended the riot, and indicated that they were certain that “AFO #328” was BORDEAUX.

A third individual who knows BORDEAUX personally submitted a tip identifying “AFO #328” as BORDEAUX, and noted that they were aware that BORDEAUX was in Washington D.C. on January 6, 2021. This individual provided information about BORDEAUX’s age, employment, address (without confidence of the street number), and phone number that were consistent with the information the first and second individual gave.

The FBI reviewed DMV records from Virginia and found that an individual named John Paul Bordeaux lives in Floyd, Virginia at the same address reported by the three tipsters, and is the same age as the tipsters reported. According to phone provider records, Bordeaux subscribes to the same phone number ending in 1014 that each of the three tipsters provided. Further, based

on my review of the DMV photo of Bordeaux, I independently believe Bordeaux is the same person as AFO #328.

I reviewed images of BORDEAUX in BWC and third party video, and BORDEAUX's DMV photograph. BORDEAUX's facial features in his DMV photograph match those of the BWC footage; they appear to be the same person.

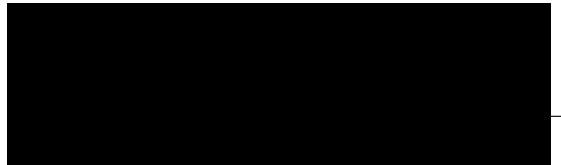
Based on the foregoing, your affiant submits that there is probable cause to believe that JOHN PAUL BORDEAUX violated 18 U.S.C. § 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in section 1114 of Title 18 while engaged in or on account of the performance of official duties, where such acts involve physical contact with the victim or the intent to commit another felony. Persons designated within section 1114 of Title 18 include federal officers such as USCP officers, and include any person assisting an officer or employee of the United States in the performance of their official duties.

Your affiant submits there is probable cause to believe that JOHN PAUL BORDEAUX violated 18 U.S.C. 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Secret Service's protection of the Vice President and his family and the Capitol Police's protection of the U.S. Capitol.

Your affiant submits that there is probable cause to believe that JOHN PAUL BORDEAUX violated 18 U.S.C. § 1752(a)(1), (2), and (4), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; and (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that JOHN PAUL BORDEAUX violated 40 U.S.C. § 5104(e)(2)(D) and (F), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede,

disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings.



Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 8 day of October 2024.

Zia M. Faruqui
U.S. MAGISTRATE JUDGE